

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SAMUEL MARSHALL,

Plaintiff,

v.

GOLD KEY CREDIT, INC.,

Defendant.

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant Gold Key Credit, Inc. ("Gold Key"), by its attorney, hereby removes this action from the District Court of the County of Nassau, First District, Civil Part, to the United States District Court for the Eastern District of New York. In support of this Notice of Removal, Gold Key states as follows:

1. Plaintiff Samuel Marshall originally commenced this action by filing a Complaint against Gold Key in the District Court of the County of Nassau, First District, Civil Part where it is presently captioned as *Samuel Marshall v. Gold Key Credit, Inc.*, Index No.: CV-8598-13. No further proceedings before the State court have occurred.

2. In the Complaint, plaintiff alleges statutory causes of action against Gold Key. A true and correct copy of Plaintiff's Complaint is attached hereto as Ex. "A."

3. Plaintiff accuses Gold Key of violating the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.*, and the Fair Credit Reporting Act, 15 U.S.C. § 1681, *et seq.*

4. Gold Key received Plaintiff's Summons and Complaint on or about April 8, 2013.

5. This Court has jurisdiction over Plaintiff's claim pursuant to 28 U.S.C. §§ 1331 and 1441 in that the claims are founded on a claim or right arising under the laws of the United States.

6. This Notice of Removal is timely, having been filed within thirty (30) days of the date on which Gold key received Plaintiff's Complaint. See 28 U.S.C. § 1446.

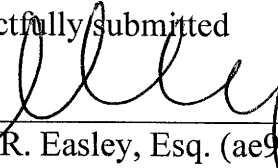
7. Written notice of this Notice of Removal of this action is being immediately provided to the District Court of the County of Nassau, First District, Civil Part. *See* Ex. "B."

8. Written notice of this Notice of Removal of this action is being caused to be served on the Plaintiff.

WHEREFORE, Defendant Gold Key Credit, Inc. gives notice that this action is removed from the District Court of the County of Nassau, First District, Civil Part, to the United States District Court for the Eastern District of New York.

Dated: April 24, 2013

Respectfully submitted



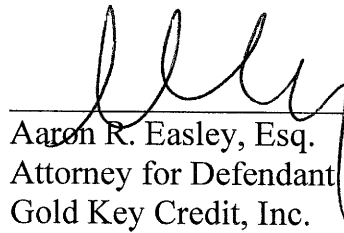
Aaron R. Easley, Esq. (ae9922)
SESSIONS, FISHMAN, NATHAN & ISRAEL, L.L.C.
200 Route 31 North, Suite 203
Flemington, NJ 08822
Phone: (908) 751-5940
Fax: (908) 751-5944
aeasley@sessions-law.biz
Attorney for Defendant
Gold Key Credit, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of April 2013, a copy of the foregoing **Notice of Removal to the United States District Court for the Eastern District of New York** was served by Federal Express upon the Clerk of the Court and via regular mail upon Plaintiff, at the below address:

Samuel Marshall, Plaintiff Pro Se
158 Mirin Avenue
Roosevelt, NY 11575

By:



Aaron R. Easley, Esq.
Attorney for Defendant
Gold Key Credit, Inc.

EXHIBIT “A”

DISTRICT COURT OF THE COUNTY OF NASSAU
FIRST DISTRICT, CIVIL PART

INDEX NO.: CV-8598-13

Marshall, Samuel

Plaintiff(s)

-against-

Gold Key Credit Inc

Defendant (s)

SUMMONS

(With FORMAL PLEADINGS)

Plaintiff's Address:

158 Mirin Avenue

Roosevelt, NY 11575

The basis of venue designate is:

Plaintiff resides in Nassau County

To the above named defendant(s):

YOU ARE HEREBY SUMMONED and required to appear in the District Court of the COUNTY OF NASSAU, First District, at the office of the Clerk of the said court at 99 Main Street, Hempstead, in the County of Nassau, State of New York, by serving an answer to the annexed complaint upon plaintiff at the address stated above within the time provided by law as noted below; upon your failure to answer, judgment will be taken against you for the relief demanded in the complaint, together with the costs of this action.

Date: the 27th day of March, 2013

SANDRA LEE
CLERK - CIVIL TERM

Clerk of the Court

Note: the law or rules of law provide that:

(a) If the summons is served by its delivery to you, or (for a corporation) an agent authorized to receive service, personally within the County of Nassau you must answer within 20 days after such service;

(b) If this summons is served otherwise than as designated in subdivision (a) above, you are allowed 30 days to answer after the proof of service is filed with the Clerk of this Court.

(c) You are required to file a copy of your answer together with proof of service with the clerk of the district in which the action is brought within ten days of the service of the answer.

DISTRICT COURT OF NASSAU COUNTY
DISTRICT, CIVIL PART

SAMUEL MARSHALL

Plaintiff(s)

Against

GOLD KEY CREDIT INC.

Defendant(s)

**DISTRICT COURT
OF NASSAU COUNTY
CIVIL PART**

Index No.:

2013 MAR 27 PM 3:41

FORMAL PLEADINGS

TO THE DISTRICT COURT OF THE STATE OF NEW YORK

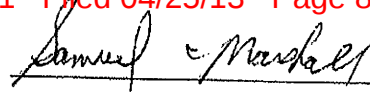
The complaint of the plaintiff, Samuel Marshall respectfully show and alleges as follows:

1. The plaintiff herein, Samuel Marshall, is a resident of the State of New York. Mr. Marshall resides at 158 Mirin Ave, Roosevelt, New York 11575.
2. The defendant herein, Gold Key Credit, has a principal place of business at 16070 Aviation Loop Drive, Brooksville, FL 34604, which is register to do business in the State of New York according to the New York Secretary of State. Defendant is engaged in the business of debt collection.
3. I the plaintiff Samuel Marshall ran my credit report on February 11, 2013 and notice their was fraudulent information on my credit posted by Gold Key Credit Inc to the credit bureaus of Transunion & Equifax. First reports was January 19, 2013 then February 4, 2013 and March 5, 2013 all to Equifax. Second reports on to Transunion was January 25, 2013 and March 16, 2013.
4. On February 13, 2013 I the plaintiff Samuel Marshall sent the defendant Gold Key Credit Inc a legal notice thru United State Postal Service certified mail# 7012 1640 0000 9310 8686 with a return receipt which the Defendant received on Tuesday February 22, 2013 at 10:46am. This legal notice was to inform Gold Key Credit that the were on inviolation of (FDCPA) Fair Debt Collection Practice Act and under 15 USC 1692g that this debt was now officially in dispute.
5. The defendant Gold Key Credit never responded to my notice about validating the debt along with other information I the plaintiff request about the debt. The defendant intentionally reported more fraudulent information on credit report on March 5, 2013 after receiving my notice of request in February 2013.
6. By reason of the facts and circumstances stated above, the defendant has caused damaged to the plaintiff.
7. By reason of the facts and circumstances stated above, plaintiff has been damaged by the defendant in the sum of \$15,000.00

Wherefore, plaintiff demands judgment against defendant in the sum of \$15,000

1. \$5,000 for punitive damages
 2. \$5,000 for defamation of character
 3. \$1,000 for violating Fair Debt Collection Practices Act 801. (15 USC 1601)
 4. \$2,000 for violating Fair Credit Reporting Act (FCRA) 15 USC 1681
 5. \$2,000 for violating Fair Debt Collection Practice Act 809. (15 USC 1692g)
- Total sum of \$15,000.00 in damages.

Dated: March 26, 2013

A handwritten signature in black ink, appearing to read "Samuel Marshall", is written over a horizontal line.

Samuel Marshall
Plaintiff

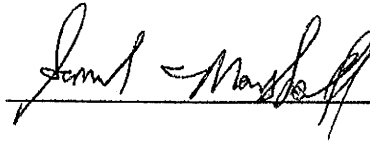
158 Mirin Ave
Roosevelt, NY 11575
(516) 415-4996

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VERIFICATION

Samuel Marshall, being duly sworn, deposes and says:

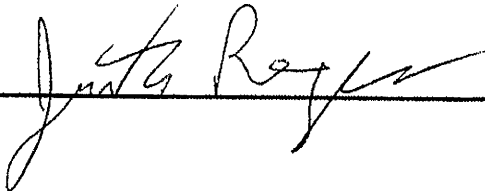
I am the plaintiff in the above-entitled action. I have read the foregoing Complaint and know the contents thereof. The same are true to my knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters I believe them to be true.



Samuel Marshall
Plaintiff

Sworn to before me this

27th day of March, 2013



Notary Public

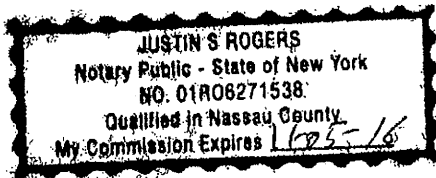


EXHIBIT “B”

V.

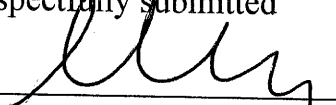
**NOTICE OF FILING OF
NOTICE OF REMOVAL TO THE
UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF
NEW YORK**

PLEASE TAKE FURTHER NOTICE that in accordance with 28 U.S.C. § 1446(d), the District Court for the County of Nassau, First District, Civil Part, shall proceed no further in this

action unless and until the action is remanded by the United States District Court for the Eastern District of New York.

Dated: April 24, 2013

Respectfully submitted



Aaron R. Easley, Esq. (ae9922)
SESSIONS, FISHMAN, NATHAN & ISRAEL, L.L.C.
200 Route 31 North, Suite 203
Flemington, NJ 08822
Phone: (908) 751-5940
Fax: (908) 751-5944
aeasley@sessions-law.biz
Attorney for Defendant
Gold Key Credit, Inc.

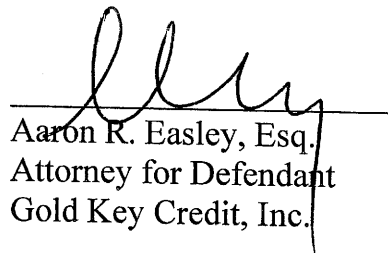
CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of April 2013, a copy of the foregoing **Notice of Filing of Notice of Removal to the United States District Court for the Eastern District of New York** was served by Federal Express upon the Clerk of the Court and via regular mail upon the plaintiff at the below addresses, respectively:

Clerk of the Court
District Court of Nassau County
First District, Civil Part
99 Main Street
Hempstead, NY 11550

Samuel Marshall, Plaintiff Pro Se
158 Mirin Avenue
Roosevelt, NY 11575
Plaintiff Pro Se

By:



Aaron R. Easley, Esq.
Attorney for Defendant
Gold Key Credit, Inc.